REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

The Examiner objects to the Abstract requiring that the reference to Figure 4 be removed. That amendment has been made. Withdrawal of the objection in specification is requested.

Claim 9 has been amended to correct the informality noted by the Examiner.

Claims 1-9 stand rejected under 35 U.S.C. §101. Claim 1 has been amended as suggested by the Examiner. Withdrawal of this rejection is respectfully requested.

Claims 1-5, 8, 10-14, 17, 19-23, and 26 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent 6,785,732 to Bates et al. This rejection is respectfully traversed.

To establish that a claim is anticipated, the Examiner must point out where each and every limitation in the claim is found in a single prior art reference. *Scripps Clinic & Research Found. v. Genentec, Inc.*, 927 F.2d 1565 (Fed. Cir. 1991). Every limitation contained in the claims must be present in the reference, and if even one limitation is missing from the reference, then it does not anticipate the claim. *Kloster Speedsteel AB v. Crucible, Inc.*, 793 F.2d 1565 (Fed. Cir. 1986). Bates fails to satisfy this rigorous standard.

Bates describes a virus checker to check e-mails and their attachments, downloaded files, and web sites for possible viruses, and takes action where a virus is found or when there is a threat of a URL containing a virus or a reference to a virus. A virus control mechanism 131 employs a virus information database 138 including a specification of known viruses and a list of websites that are known to contain viruses. A website that contains a virus, or from which a virus is downloaded, is referred to by Bates as a "bad URL." Column 6, lines 15-16. Using the database 138, a web page virus processing mechanism 132 warns a web client that has requested a web page having a bad URL or that has requested a web page that includes links to a bad URL.

As explained in conjunction with the flowchart 900 shown in Fig. 9, a requested web page is downloaded and the URL for the web page and all links on the web page are "compared to a list of known URLs in the virus information database 138 that were previously sources for viruses." Column 10, lines 59-63. If a match is detected, some sort of alert is triggered.

In contrast, the independent claims recite first scanning initial data, whether that data is e-mails, files, or other data, for internet addresses and then pre-emptively retrieving the data that would be accessed by a user following that internet address. The retrieved data (different than the initial data) is then scanned for malware.

Bates is focused on using a known list of web addresses to scan e-mails or suspect internet links. But the independent claims recite: "pre-emptively retrieve via said internet link addressed data that would be accessed by a user following said at least one internet address." (Quoted from claim 1). The computer is retrieved the data the link before the user selects the link. There is no teaching in Bates of pre-emptively retrieving data stored at an internet address within currently held data with a view to scanning that pre-emptively retrieved data for malware.

As explained at page 3 beginning at line 7, the inventors recognized that data held on a computer often includes internet addresses that will, at a subsequent time, prompt a user to access data referred to by those internet addresses. If that data stored on the computer is scanned for internet addresses, then the data associated with those internet addresses can be pre-emptively retrieved via the internet and scanned for malware. Consequently, when a user subsequently tries to access the data associated with an internet address that has been pre-emptively scanned, the scanning has already been performed and access to the data may be provided more rapidly. Ideally, pre-emptive downloading and scanning data may take place at periods when processing and communications resources are not highly utilized.

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The secondary reference to Hypponen applied in combination with Bates to reject

claims 6, 9, 15, 18, 24, and 27 also fails to disclose pre-emptively retrieving via an internet link

addressed data that would be subsequently accessed by the user.

The application is in condition for allowance. An early notice to that effect is earnestly

solicited.

Respectfully submitted,

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